

REMARKS/ARGUMENTS

Claims 1-12 were pending. In the present response, Applicants have added new claim 13, leaving claims 1-13 pending in the present application for the Examiner's consideration. No new matter has been added.

In summary of the Final Office Action of October 4, 2003, the Examiner has:

I. Rejected claims 1-12 under 35 U.S.C. §103(a) as being unpatentable over Wang et al. (U.S. Patent No. 5,237,679) in view of Schmid et al. (U.S. Patent No. 5,569,164) and further in view of Khan et al. (U.S. Patent No. 6,401,206).

The Applicants respectfully traverse the Examiner's rejections.

I. Khan does not disclose cryptographically securing an association of documents.

The Examiner cites Khan, column 3, lines 48-52, as disclosing cryptographically securing a set of documents. Applicants respectfully disagree.

The cited portion of Khan states:

The digital identities used in deterministic authentication methods can be fully recovered in original form. Examples are methods based on passwords, cryptographic keys, or ones that simply bind digitized signatures with documents cryptographically. (Emphasis Added).

Khan clearly discloses that a number of signatures (plural) can be bound with a number of documents (plural). Khan does not disclose that a single signature can be bound with a set or an association of multiple documents. In fact, Khan does not disclose or suggest associating multiple documents together for any purpose. Instead, Khan only discloses cryptographically protecting a single document. Therefore, Applicants respectfully submit that Khan does not disclose or suggest cryptographically securing an object, "thereby indicating the existence of the association of selected pages and selected documents together at one time," as recited by claims 1 and 9.

II. There is no motivation to combine the disclosures of Schmid or Wang with Khan.

Applicants submit that there is no motivation in the cited references to combine Schmid or Wang with the disclosure of Khan. One object of the present invention is to provide a "virtual stapling" capability for permanently or semi permanently associating arbitrary electronic documents with each other. (Specification, p.6). Once stapled, the virtual stapling operation is "cryptographically enforced so that no document can be altered or removed from the collection." (Specification, p.6). For example, Claim 1 recites, in part, "cryptographically securing the staple data object in response to receipt of the staple instruction." Claim 9 recites similar limitations. Applicants submit that neither Schmid nor Wang provide any motivation for cryptographically securing an association of documents.

Schmid discloses a "system enabling a computer to identify the beginning and end of a logical group of digitally scanned documents . . . through the use of cover pages or sheets containing machine-readable information." (Schmid, Abstract). The cover sheets of Schmid are paper cover sheets to be included with paper documents to be scanned. (Schmid, Col. 2, lines 23-27). Because Schmid associates a set of paper documents with a paper cover sheet prior to scanning, anyone can add or remove documents from the set without leaving a trace. There is nothing in Schmid to suggest that securing an association between documents would be desirable, let alone how it would be accomplished using electronic, not paper, documents.

Wang discloses "a temporary stapler document relationship [that] may be created by stapling a first document to a second document." (Wang, Abstract) (Emphasis added). Wang does not suggest that preserving proof of the existence of an association between documents is desirable. To the contrary, Wang encourages tampering with an association of documents. Wang discloses that the temporary association between documents should be automatically deleted when one of the associated documents is deleted. (Wang, Col. 3, lines 4-5). Therefore, Wang discourages combination with Khan, as using cryptography would prevent or hinder the automatic deletion of temporary associations of documents.

In summary, Schmid discloses associating a set of paper documents together with a paper cover sheet, which allows for tampering. Wang discloses automatically deleting temporary

Appl. No. 09/302,552
Amdt. dated April 5, 2004
Preliminary Amendment

PATENT

associations between electronic documents. Neither reference suggests any motivation for preserving an indication of the "existence of the association of selected pages and selected documents together at one time," as recited by claims 1 and 9. Therefore, there is no motivation to combine Schmid or Wang with Khan.

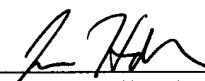
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

4/5/04
Date


Jonathan M. Hollander
Reg. No. 48,717

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
JMH:gsh
60184709 v1